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AUG 2 6 2004

Attorney Docket No. 03532/LH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SATOSHI KON et al.

Serial No. : 10/658,238

Filed : September 9, 2003

For : SEMICONDUCTOR LIGHT EMITTING

DEVICE AND ITS MANUFACTURE

Art Unit : 2814

Examiner : CAO, PHAT X

Customer No.: 01933

RESPONSE- 37 CFR 1.111

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

This is responsive to the Office Action mailed August 6, 2004, the term for response to which expires on September 6, 2004.

## ELECTION

Applicants hereby elect Invention II, claims 11-20, drawn to a semiconductor device structure, for further prosecution on the merits, without traverse.

It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth above.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action.

CERTIFICATE OF FACSIMILE TRANSMISSION TO NO.703-872-9306

TOTAL PAGES: 2 I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents Office on the date noted below.

Nalini P. Sahadeo

Dated: August 26, 2004

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time and to the extent not time, and to the extent not tendered by check attached hexeto, authorization to charge the extension fee to Account No. 06-1378.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

August 26, 2004

Douglas Holtz, Esq. Reg. No. 33,902

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